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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65971

Yoshio NITTA

Appln. No.: 09/938,506

Group Art Unit: 2661

Confirmation No.: 2893

Examiner: Not yet Assigned

Filed: August 27, 2001

For: **COMMUNICATION SYSTEM AND METHOD DETERMINING USER FEE ON THE BASIS OF QUALITY OF SERVICE**

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

RECEIVED

AUG 27 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Technology Center 2600

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

1. United Kingdom Patent Application No. 2 319 710, published May 27, 1998.
2. European Patent Application Publication No. 0 993 153, published April 12, 2000.
3. U.S. Patent No. 6,078,953 issued June 20, 2000.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution

Yoshio NITTA

09/938,506

INFORMATION DISCLOSURE STATEMENT

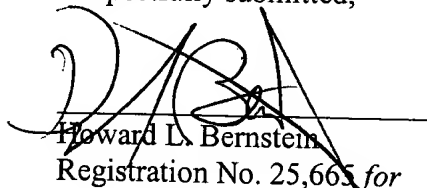
application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses herewith a copy of a corresponding European Search Report dated May 26, 2003, citing such documents and indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,


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CUSTOMER NUMBER

Date: August 26, 2003

Substitute for Form 1449 A & B/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

AUG 26 2003

(use as many sheets as necessary)

Application Number	09/938,506
Confirmation Number	2893
Filing Date	August 27, 2001
First Named Inventor	Yoshio NITTA
Art Unit	2661
Examiner Name	Not yet Assigned
Attorney Docket Number	Q65971

1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 6,078,953	A	06/20/2000	Vaid et al.
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		GB	2 319 710	A	05/27/1998	Immedia Investment Ltd.	
		EP	0 993 153	A1	04/12/2000	Hitachi, Ltd. and Hitachi Information Technology Co., Ltd.	

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.